

HOUSE BILL 191

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2003 Regular Session  
(3r0020)

**ENROLLED BILL**

-- *Environmental Matters/Education, Health, and Environmental Affairs* --

Introduced by **Chairman, Environmental Matters Committee (By Request -  
Departmental - Ethics, State Commission on)**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Regulated Lobbyists - Registration Fee - Increase~~  
3 Lobbyist Registration Fund - Registration Fees and Reversion of Unused  
4 Funds

5 FOR the purpose of altering the registration fee for certain lobbyists required to  
6 register with the State Ethics Commission; requiring that any unused balance  
7 in the Lobbyist Registration Fund at the end of any fiscal year revert to the  
8 General Fund of the State; and generally relating to the Lobbyist Registration  
9 Fund.

10 BY repealing and reenacting, with amendments,  
11 Article - State Government  
12 Section 15-210 and 15-703  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - State Government**

4 15-210.

5 (a) (1) There is a Lobbyist Registration Fund.

6 (2) The Fund includes all fees collected under Subtitle 7 of this title.

7 (b) (1) The Fund is a continuing, nonlapsing fund [that is not subject to §  
8 7-302 of the State Finance and Procurement Article].

9 (2) ANY BALANCE REMAINING IN THE FUND AT THE END OF ANY FISCAL  
10 YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

11 (c) (1) The Treasurer shall separately hold, and the Comptroller shall  
12 account for, the Fund.

13 (2) The Fund shall be invested and reinvested in the same manner as  
14 other State funds.

15 (3) Expenditures from the Fund shall be made in accordance with an  
16 appropriation approved by the General Assembly in the annual budget.

17 (d) The Fund shall be used to defray the expenses of administering Subtitle 7  
18 of this title.

19 15-703.

20 (a) (1) At the times specified in subsection (d) of this section, each regulated  
21 lobbyist shall register with the Ethics Commission on a form provided by the Ethics  
22 Commission.

23 (2) A regulated lobbyist shall register separately for each entity that has  
24 engaged the regulated lobbyist for lobbying purposes.

25 (b) Each registration form shall include, if applicable, the following  
26 information:

27 (1) the regulated lobbyist's name and permanent address;

28 (2) the name and permanent address of each other regulated lobbyist  
29 that will be lobbying on the regulated lobbyist's behalf;

30 (3) the name, address, and nature of business of the entity, if any, that  
31 has engaged the regulated lobbyist for lobbying purposes, accompanied by a  
32 statement indicating whether, because of the filing and reporting of the regulated  
33 lobbyist, the compensating entity is exempt under § 15-701(c) of this subtitle; and

1 (4) the identification, by formal designation if known, of the matters on  
2 which the regulated lobbyist expects to perform acts, or to engage another regulated  
3 lobbyist to perform acts, that require registration under this subtitle.

4 (c) If applicable, each registration shall include the authorization required by  
5 § 15-702 of this subtitle.

6 (d) (1) A regulated lobbyist who is not currently registered shall register  
7 within 5 days after first performing an act that requires registration under this  
8 subtitle.

9 (2) A regulated lobbyist shall file a new registration form on or before  
10 November 1 of each year if, on that date, the regulated lobbyist is engaged in  
11 lobbying.

12 (e) (1) Each registration form shall be accompanied by a fee of [\$20] \$50.

13 (2) The fee shall be credited to the Lobbyist Registration Fund  
14 established under § 15-210 of this title.

15 (f) (1) Except as provided in paragraph (2) of this subsection, each  
16 registration shall terminate on the earlier of:

17 (i) the October 31 following the filing of the registration; or

18 (ii) an earlier termination date specified in an authorization filed  
19 with respect to that registration under § 15-702 of this subtitle.

20 (2) A regulated lobbyist may terminate the registration before the date  
21 specified in paragraph (1) of this subsection by:

22 (i) ceasing all activity that requires registration; and

23 (ii) after ceasing activity in accordance with item (i) of this  
24 paragraph:

25 1. filing a notice of termination with the Ethics Commission;  
26 and

27 2. filing all reports required by this subtitle within 30 days  
28 after the filing of the notice of termination.

29 (3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, if a  
30 regulated lobbyist is or becomes subject to regulation under this title as an official or  
31 employee, the regulated lobbyist shall immediately terminate the registration in  
32 accordance with paragraph (2) of this subsection.

33 (ii) After holding a public hearing, the Ethics Commission shall  
34 adopt regulations establishing criteria under which a regulated lobbyist may serve on  
35 a State board or commission.

1 (iii) The regulations adopted under subparagraph (ii) of this  
2 paragraph shall:

3 1. establish a classification of State boards or commissions  
4 on which regulated lobbyists may serve;

5 2. at a minimum authorize a regulated lobbyist to serve as  
6 an appointed member of an advisory governmental body of limited duration; and

7 3. establish disclosure requirements for a regulated lobbyist  
8 who serves on a board or commission under this paragraph, that are substantially  
9 similar to disclosure requirements for members of the General Assembly.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
11 effect October 1, 2003.